

## **REGULAR MEETING**

**Mayor and Council**

**Borough of Harrington Park, New Jersey**

**January 19, 2021**

### **PUBLIC NOTICE** **BOROUGH OF HARRINGTON PARK** **MEETING MOVED TO ELECTRONIC PLATFORM** **“ZOOM.US”**

Pursuant to Governor Murphy’s Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the meeting of the Borough of Harrington Park scheduled for **January 19, 2021 at 7:00 p.m.** will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears below.

Members of the public may submit written comments in advance of a meeting, which will be read during the relevant public portion of the meeting. Written comments shall contain the person’s name and address and may be submitted via email to the Borough Clerk ([clerk@harringtonparknj.gov](mailto:clerk@harringtonparknj.gov)) or by mail addressed to: Clerk, Borough Hall, 85 Harriot Ave., Harrington Park, NJ . Emailed comments must be received at least 48 hours prior to the meeting. Mailed comments must be received by 4:00 p.m. the day before the meeting.

If any meeting includes a public hearing, all material that will be considered by the Borough Council at the public hearing shall be posted on or linked to the homepage of the Borough’s website in a conspicuous location or as otherwise required by law. Written comments, as set forth above, will be accepted for such public hearings. If sworn testimony is to be taken during the public hearing, it shall be broadcast by both video and audio. Written public comments will not be considered where sworn testimony is required.

Topic: Mayor and Council Meeting Jan. 19, 2021

Time: Jan 19, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/95599862416?pwd=dUVMendMYys1bmlXMjJtS3dZcWJwQT09>

Meeting ID: 955 9986 2416

Passcode: 157843

One tap mobile

+19292056099,,95599862416#,,,\*157843# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 955 9986 2416

Passcode: 157843

Find your local number: <https://zoom.us/u/aujtBp7lY>

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- Click on, or copy and paste the link to the browser search

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Once downloaded, open the Zoom app. You will be prompted to enter the Meeting ID., followed by the Access Code to participate

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- You will be prompted to enter the Meeting ID 785 175 875(our number). # followed by the Access Code to participate 743206.(our number)

A copy of the agenda and all meeting materials is available at the Borough of Harrington Park website: [www.harringtonparknj.gov](http://www.harringtonparknj.gov).

A copy of the agenda and meeting materials may also be requested by calling the Borough Clerk or submitting an e-mail request. Members of the public may contact the Borough Clerk to obtain copies of the meeting materials by calling the Borough Clerk at (201) 768-1700 during the hours of 9:00 a.m. to 4:00 p.m. during normal business days, or by e-mail: Ann Bistriz [clerk@harringtonparknj.gov](mailto:clerk@harringtonparknj.gov)

All documents for matters on the agenda are electronically on file at the following website: [www.harringtonparknj.gov](http://www.harringtonparknj.gov).

Please be aware that the audio connections for all members of the public will be muted for the duration of the meeting, except for those periods when public comments are received. Members of the public may use the “raise your hand” feature on Zoom, or may e-mail the Borough Clerk during the meeting, to request to participate in public comment portions. Any member of the public will be unmuted for the purpose of making public comment, or may submit a comment by e-mail to be read by the Borough Clerk. The Borough Clerk’s e-mail is: [clerk@harringtonparknj.gov](mailto:clerk@harringtonparknj.gov). The Borough may impose time limitations on the length of individual speakers.

Members of the public are advised that the video and audio of the meeting will be recorded and will be a public record subject to disclosure pursuant to the Open Public Meetings Act. The Borough reserves the right to post the recording of the meeting to its website.

Formal Action may or may not be taken.

Any other business that may come before the Council

**(PAH) Call Meeting to Order****Time: 7:00pm****Mayor’s Announcement:**

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been emailed to the BERGEN RECORD and the SUBURBANITE A copy has been filed with the Borough Clerk, and copies have been provided to individuals requesting the same.

**(ALB) Roll Call:**

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)	x	
WALKER (DW)	x	
BROCKMAN (JB)	x	
PEDERSEN (JP)	x	
CHUNG (JC)	x	

**Also present:**

**Ms. Ann H. Bistriz, Borough Clerk (ALB)**

**Mr. John Dineen, Borough Attorney**

**Mr. Kunjesh Trivedi**

**(PAH) Flag Salute**

**(PAH) Minutes Approval**

**Sine Die-January 2, 2021**

**Motion GE**

**Second JP**

**AIF**

**Reorganization Meeting-January 2, 2021**

**Motion JP**

**Second JB**

**PAH noted that the open seat on the Recreation Commission has been filed by his appointment of Jennifer Fisher**

**Roll Call Vote AIF**

**(PAH) Consent Agenda-Resolutions-**

**All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.**

**Consent Approval (A- C )**

**A Resolution 2021- SUBMISSION OF ROAD PAVING TO RIVERSIDE COOPERATIVE 2021-40**

**B Amendment to Resolution 2021-4 School Marshals & Reserves 2021-41**

**C Municipal Consent Always Reliable Car Service Inc. 2021-42**

**Motion JP**

**Second GE**

**Roll Call AIF**

**Individual Committee Reports**  
**(PAH) Mayor Hoelscher**

**(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance**

**Fire Department:**

15 Calls, 1 Drill, 1 Grab and Go event, 3 New Apparatus Trainings, 1 Interboro, 1 Chiefs Meeting.

1 Allegro Pre-Plan Meeting

Budget Meeting scheduled for later this week, or the following week.

**Ambulance Corps:**

16 Calls, 4 Mutual Aid calls

YTD 132 Calls in Harrington park, 69 Mutual Aid Calls

**(GE) Police, Municipal Court, Personnel**

**December Report:**

383 Calls for Service

123 Traffic Enforcements

O/E Budget for the Year \$67,600 YTD \$63,500

Over Time Budget \$68,000 YTD \$243,500. However, \$140,300 will be reimbursed by contractors and utilities that required road details for safety measures.

No IAs pending

**(DW) DPW, Building & Grounds, Sanitation/Recycling**

**December Report:**

Leaf clean up finished. Public areas including Don Horsey Park, Police Station and George Street Park were cleaned

The garage near the cell tower project was made available for the ATT construction.

Christmas decorations were placed around town including the Borough Hall, entrance signs and Don Horsey Park.

Plowing December 16 snow storm

George Street Pond was filled for ice skating

On Christmas Eve, Mr. Murphy was called out to remove several trees which had fallen during the heavy wind and rain storm. Mr. Nappi joined in on Christmas morning (5am) to work with the backhoe to push over 15 trees off roadways that fell from Suez property.

Chipping began to help with storm clean up and residential Christmas trees.

Recycling-Electronics was collected on December 28, 2020.

9380 White Goods, 10780 Heavy Steel 18.78 Single Stream curbside collection

**(JB) Board of Health, Environmental Commission**

**Environmental Commission:**

Further discussion has taken place regarding dogs in our parks. EC requests guidance on enforcement and fines.

They will be placing dispensers of biodegradable "Pooch Paper" at each park. Should cost about \$1500 to maintain the product. Hopefully the DPW can restock when necessary and IWS can empty the receptacles.

JRD noted that fines are governed by the court so our designated enforcement agents are responsible such as the Police, Health Inspector and Zoning Inspector.

ALB will check ordinances to make further determinations.

JC attended the January meeting on behalf of JB and reported that the Borough was not granted Sustainable Jersey funds, but will try again in 2021. The plan on looking into solar options or a possible project with Allegro.

EC will also reapply for Sustainable NJ certification.

Requested that ALB place the necessary resolution on the agenda for the next meeting.

EC requested that JC work on updating the Diversity study for our Boards and Commissions.

### **Board of Health:**

Working on a survey for all employees to fill out at home and submit daily

Lou Apa has started inspecting Allegro

There is a new salon where the meat market was.

### **(JP) Finance, Admin. & Exec., Grants**

Budget meetings are starting

Budget deadline to introduce will be the second meeting in March with adoption, second meeting in April.

Finance Office has created a sports account which will encompass all sports related money. This will be especially helpful now that fees can be paid on line with a credit card and the transferring the funds to this account will be easier.

### **(JC) Recreation Commission, Liaison to Board of Education, Public Information**

**Board of Education** has two new members-Eric Fishbein and Steven Han. President of the Board is Thommie Perides. Laura Tebo is Vice President.

**Recreation** installed two new members:

Jennifer Fischer, past Co-President of the HSA and

Mahdad Parsi, Commission of HP Soccer.

Pat "Kelly" Kramer, Chair.

Ashley Plescia Vice Chair

Hopefully all sports will move forward in a safe and healthy manner, following COVID-19 guidelines.

### **(ALB) Borough Clerk/Administrator**

189 Dogs have been licensed so far.

Office started working on the Farmers Market. Waiting for the committee members to determine dates.

### **Old Business**

AN took the liberty of following up on the public concerns email regarding property maintenance. He followed up with a phone call and all items on the current list have been addressed. There may be some ongoing items and we can deal with them as the

need arises. Thanked, Bob McQuade, Mr. Dineen and ALB for help addressing the issues.

Received several resumes for the Building Department position. Mr. Zavardino holds many titles so it will take time to match all information up for the position. It is AN goal to have something in place in February.

### **New Business**

#### **(PAH) Mayor's Report**

Appointing Jennifer Fischer as a full members of the Recreation Commission-Term 2001-2024. PAH requested that ALB make sure all contact information is provided to the secretary to bring the new member up to speed.

Harrington Park was awarded \$88,521 from Community development for the ADA accessibility by the Library. ALB added that this will be additional sidewalk by the Library to Short Place and possibly a meandering sidewalk by the pavilion of between firehouse and Borough Hall.

#### **(PAH) Open the Meeting to the Public**

**Motion GE**

**Second JP**

**Vote AIF**

#### **(PAH) Close the Meeting to the Public**

**Motion Ge**

**Second JP**

**Vote AIF**

### **Ordinances**

#### **(AN) Introduction**-Ordinance #750 Addendum D

AMENDING THE ORDINANCE REQUIRING THE ISSUANCE OF A CERTIFICATE OF CONTINUED OCCUPANCY FOR THE SALE OR TRANSFER OF TITLE OF ANY RESIDENTIAL PROPERTY WITH MORE THAN 2 LIVING UNITS

**Motion AN**

**Second JP**

**Discussion follows below\***

**Roll Call Vote AIF Abstain JC**

#### **Discussion\***

AN explained that this ordinance removes a portion of an inspection that can be cumbersome to the Building Department. The Building Inspector requested the original ordinance to be put in place as per suggestion of the BCUA, however, this action does not really serve the initial purpose which is to ensure that sewer lines are properly connected. This amendment will remove the Borough from being involved with a sale of property other than commercial property and rental properties over 2 units.

PAH questioned what is covered by the update to the RCCO process. JRD explained that this

will require CCO on the resale of residential property of more than 2 units and the sale or rental of commercial property.

JRD advised that whether or not the Building Department finds the existing process cumbersome, the Mayor and Council makes the final decision to support the presented amendment.

JC is concerned about the safety aspect that may be overlooked if this type of inspection does not take place. She had just started on council when the Building Department requested that Council approve the initial ordinance that will enforce the removal of illegal sump pumps (put in without permits) and also check to review permit to ensure they are appropriately closed.

JRD explained that anyone can ask the Building Department to perform a CCO. It is also the responsibility for the Building Department to follow up on all permits to remind the property owner to close their permit. The CCO process is to determine if there are any violations on the property such as making sure that a one family house is a such and the ensure that the use of the property has not changed. Initially, this ordinance was to address a requirement and regulation of another agency. However, over time the Building Department has determined that by having the RCCO process, the intended affect is not achieved.

JC stated that many residents may forget to close out their permits, be it a project they did themselves, or with those that used a contractor. It is important to make sure that the redirection of water to our sewers is reviewed due to the area we live in. She continued that it is also important for have a follow up procedure in place for our residents (and new residents). It is not only a safety issue but a sense of responsibility of the Borough.

JRD added that the Building Department can advise how to streamline the process. It is still required by the State to have a Fire Inspection for the closing on property.

JC has concerns on the timing of such a request.

JRD added that lawyers tend to take the CCO process as a benchmark of their negotiation process. If there are open permits, they can be transferred to the new buyer, making it their responsibility to correct or close. Also with the sale of property an Affidavit of Title can reinforce that there are no open permits.

JB inquired of JRD if there are any glaring issues of approving this amendment. JRD said that if there is anything, they are minor and would be covered in a variety of other mechanisms that are already in place.

JC was concerned that if there is an administrative problem with providing services that perhaps that is something that should be discussed with Council to help determine what would work best for our residents in conjunction with a particular office.

JRD noted that the RCCO process is fully in place for rental properties, commercial property,

and properties that contain more than 2 units. The amendment negates the need for inspection on 1 and two family homes that are for sale.

In conclusion, JC wants to fully support all safety measures that available for our residents, as well as those that are in the property purchasing process. It is crucial that there is oversight on alterations and older permits, making sure everything is to code. Concerns of liability need to be reviewed. Plus, how is it determined the importance and necessity of which permits should be closed. Not everybody know what is appropriate, this, is looked upon the appropriate official to make sure things are correct and/ or significant.

JRD wrapped up the discussion and advised that conversation can continue at the meeting to adopt the ordinance. At this juncture, only the introduction is necessary. Council can take the time to review all avenues of concern and reach out to the Building Department of discuss with Mr. Zavardino at a February meeting.

**(PAH) Motion for Closed Session GE Time: 7:59pm**

**Second DW**

**Note JP recused himself from the proceedings and has left the meeting.**

**Vote AIF**

### **RESOLUTION**

**WHEREAS**, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and

**WHEREAS**, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.

**(GE) Personnel-Police Chief Contract**

**BE IT FURTHER RESOLVED** that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.

**Return to Open Session 8:39**

**Adjournment-Time: 8:39**

**Motion: GE**

**Second: DW**

**Vote: AIF**

### **Addendum A**

#### **Resolution 2021-40**

#### **SUBMISSION OF ROAD PAVING TO RIVERSIDE COOPERATIVE**

**WHEREAS**, Borough of Harrington Park has chosen to enter into the bid process of the Riverside Cooperative implementing its paving program on selected roadways; and



**WHEREAS**, The Borough of Harrington Park has provided Riverside Cooperative with a list of three (3) roads for this project.

**WHEREAS**, Neglia Engineering filed the appropriate documentation to Riverside Cooperative for the paving of Greenway, Wicks Drive and Carlton Lane.

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are hereby authorized to authorize the services of Neglia Engineering to provide estimates for paving the above mentioned roads within the Borough of Harrington Park to be submitted to Riverside Cooperative Road Paving Bid for 2021.

**Addendum B**  
**Amendment of RESOLUTION 2021-41**

**DESIGNATE SCHOOL MARSHALS & RESERVES**

Mayor Hoelscher offers the names of the following School Marshals; compensation for services is prescribed by Ordinance:

**WHEREAS**, corrections to the list were received from Lt. Peter Fay, and

**WHEREAS**, the updated list of School Marshals and Reserves for the year 2021 9s as follows:

**School Marshals**

Allison Campbell	Thomas Clarke	Edward Colletti	Lisa Getzow
Gail Keating	Michael Mullany	James Muggeo	

**Reserve School Marshals**

John Bagli	Edward Delaney	Martha Francis	Gail Kovacs-Felici
Timothy Morgan	Mary Ann Romano	Douglas Roem	Carmine Giacomini

**Addendum C**  
**RESOLUTION**  
**2021-42**

**Municipal Consent Always Reliable Car Service, Inc.**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that it authorizes the Borough Clerk to write a letter of Municipal Consent for the year 2018 for Always Reliable Car Service, Inc., 14 Elm Street, Harrington Park, NJ, Sean McHugh, Vice-President, to procure Livery N.J. plates through the NJ Department of Motor Vehicles.

**BE IT FURTHER RESOLVED** the applicant has submitted the necessary documents And Copies of current insurance to conform with the rules and regulations governing such vehicles in the Borough of Harrington Park.

**BE IT FURTHER RESOLVED** this Municipal Consent covers the following Vehicle Identification Numbers for Always Reliable Car Service, Inc.:

**2014 Cadillac XTS Black Vin#2G61N5S39E9325885 Plate OL3837K**

**Addendum D**  
**Ordinance #750**

**BOROUGH OF HARRINGTON PARK**  
**AMENDING THE ORDINANCE REQUIRING THE ISSUANCE OF**  
**A CERTIFICATE OF CONTINUED OCCUPANCY FOR THE SALE OR TRANSFER**  
**OF TITLE OF ANY RESIDENTIAL PROPERTY WITH MORE THAN 2 LIVING**  
**UNITS**

Whereas, the Borough of Harrington Park is desirous of providing for the health safety and welfare of all its residents;

Whereas, the Borough of Harrington Park is required by the Bergen County Utilities Authority (BCUA) to actively investigate and terminate illegal discharge into the common sewer system;

Whereas, the Mayor and Council of the Borough of Harrington Park have determined that these common objectives of providing for health, safety and welfare along with the prevention of illegal discharge into the county sewerage system can be accommodated by and through the implementation of an inspection upon a change in ownership or occupancy of the premises;

Now Therefore Be It Ordained by the Mayor and Council of the Borough of Harrington Park that the following Certificate of Continued Occupancy Ordinance is hereby adopted and set forth as follows:

**Residential Certificate Required**

No person shall occupy, rent, lease, transfer title, or inhabit as a tenant or tenants of any residential property with more than 2 units or commercial use until the current owner or representative of such owner (including an attorney representing the owner or prospective purchaser of such property) has applied for and secured a certificate of Continued Occupancy from the Building Department of the Borough of Harrington Park. The provisions herein shall be in addition to those contained in S 118-1 et. Seq. of the Code Book.

**Conditions**

An inspection shall be conducted to insure applicable municipal ordinances affecting the use and occupancy of the premises had been reasonably maintained and that there are no, [including ordinances governing sidewalks] plumbing/sump pump or cross infiltration of sanitary sewers as well as inspection of work for which a Uniform Construction Code Permit was issued.

[In addition and concurrently with this inspection shall be an inspection by the Harrington Park Fire Prevention Bureau for which smoke detectors and carbon monoxide detectors shall be inspected.]

**Responsibility of Owner for Application**

The current owner, landlord, prospective buyer/tenant or any agent of any residential

property containing more than 2 units or commercial premise, about to be sold, transferred or newly occupied shall apply for a CCO provided by the Harrington Park Building Department.

#### Temporary Certificate of Continued Occupancy

A temporary certificate of continued occupancy may be issued at the request of the owner, landlord, prospective buyer/tenant or any agent tear of provided that a suitable escrow is established to cover any and all requested conditions for the issuance of a CCO. Escrow monies will be held in the accounts of either of the respective attorneys for the seller or buyer [or if no attorney is involved then with the Chief Financial Officer of the Borough]. No temporary CCO shall exceed 90 days unless extenuating circumstances are shown.

#### Enforcement

Upon receipt and review of a complete application by the Construction Official, or his lawful designee an inspection shall be conducted within 21 days of the property and a CCO shall issue or a written report stating the reasons for its denial shall issue.

#### Fee

A nonrefundable fee of \$100 is required for the sale and/or change of occupancy of any commercial premise or single-family home. The fee for issuance of a CCO for an apartment will be \$50. This fee shall be in addition to any other fees that may be required for fire inspection purposes.

#### Violations and Penalties

Any person or entity who violates any of the provisions of this section shall be subject to a penalty as set forth in chapter 164, fines and penalties

